

RELEASED IN PART UNCLASSIFIED  
B1, 1.4(D)

ACTION WHA-00

INFO	LOG-00	NP-00	AID-00	AMAD-00	CIAE-00	INL-00	DODE-00
	DOEE-00	PERC-00	DS-00	EB-00	VC-00	H-00	TEDE-00
	INR-00	IO-00	LAB-01	L-00	VCE-00	AC-00	NSAE-00
	OIC-00	PA-00	MCC-00	PRS-00	ACE-00	P-00	FMPC-00
	SP-00	IRM-00	STR-00	TRSE-00	DSCC-00	PRM-00	DRL-00
	G-00	NFAT-00	SAS-00	/001W			

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P 192153Z OCT 04

FM AMEMBASSY CARACAS

TO SECSTATE WASHDC PRIORITY 8065

INFO AMEMBASSY BOGOTA PRIORITY

AMEMBASSY LA PAZ PRIORITY

AMEMBASSY LIMA PRIORITY

AMEMBASSY QUITO PRIORITY

NSC WASHDC PRIORITY

HQ USSOUTHCOM MIAMI FL PRIORITY

C O N F I D E N T I A L CARACAS 003219

NSC FOR CBARTON

USCINCSO ALSO FOR POLAD

E.O. 12958: DECL: 05/25/2014

TAGS: PHUM, PGOV, KJUS, VE

SUBJECT: VENEZUELAN PROSECUTOR INVESTIGATES 400 FOR  
"REBELLION"

Classified By: cda stephen g. mcfarland FOR REASON 1.4 (d)

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SUMMARY  
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1. (U) Venezuelan prosecutor Danilo Anderson took testimony from three media executives at the beginning of October as part of his investigation into the events of April 12-13, 2002. Anderson announced on September 17 that he was reopening the investigation of persons who had supported the interim government of Pedro Carmona. Anderson announced the investigation would involve some 400 people associated with the "Carmona Decree," which dissolved the GOV in April 2002. In addition to those that signed the decree, Anderson is targeting persons known to be present in Miraflores Palace at the time, having "signed in" or been caught on videotape. Sumate's Maria Corina Machado and Zulia Governor Manuel Rosales are perhaps the most prominent persons on the list.  
End Summary.

UNITED STATES DEPARTMENT OF STATE  
REVIEW AUTHORITY: APPEALS REVIEW PANEL  
APPEAL ACTION: ADDITIONAL INFORMATION RELEASED  
REASON(S): B1, 1.4(D)  
DATE/CASE ID: 02 OCT 2007 200404750

UNITED STATES DEPARTMENT OF STATE  
REVIEW AUTHORITY: MELVIN E SINN  
DATE/CASE ID: 30 JUN 2005 200404750

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## ----- Case Reopened -----

2. (U) On September 17 prosecutor Danilo Anderson announced that Attorney General Isaias Rodriguez had ordered him to reopen the investigation into the events of April 12, 2002 surrounding the installation of the Carmona government. He told reporters he would investigate those people named as ministers in Carmona's government, those who signed the "Carmona Decree" and those who were present at Miraflores during Carmona's swearing in.

## ----- Background -----

3. (C) On April 11, 2002 Gen. Lucas Rincon announced President Chavez' resignation on national television. Hundreds of Chavez opponents had marched to the Presidential Palace and occupied it when military officers took the President into custody. Pedro Carmona, then president of the business federation FEDECAMARAS, swore himself in as president. This act broke the constitutional chain. Amidst the celebrating and negotiating, a decree was written. It is not clear who wrote it, though that is likely to be part of Anderson's investigation. The Carmona Decree, as it is now known, dissolved the GOV, the National Assembly, the Supreme Court, and the Citizen Power, including the prosecutor's office. The decree was signed publicly by the representatives of several institutions, and publicly proclaimed. This decree, and the political attacks against Chavista officials, is generally credited with sparking the reaction of loyal elements of the military, which led to Chavez' restitution on April 13. In 2002 the Supreme Court, sitting in Plenary Chamber, ruled that the events of April 11, 2002, did not constitute a coup, but rather a power vacuum, given Chavez' resignation. The decision halted attempts to try the military participants in the April events.

## ----- 400 Blows -----

3. (U) On September 30 Anderson announced that he expected to call 400 persons to testify, possibly as suspects, over the course of two months. He said he intended to investigate Carmona's ministers first, then those who signed the decree publicly, then those who signed privately after Carmona was

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sworn in, and finally those who were present at Miraflores during Carmona's swearing in ceremony as president. For this last group, Anderson plans to use videos to identify people. Anderson told the press that the investigation was beginning from the assumption that the crime committed was civil rebellion. Depending on the level of complicity, suspects might be charged as author, co-author, participant or accomplice. Anderson said he would not call Gen. Lucas Rincon, who announced Chavez' resignation, or the Vice President at the time, Diosdado Cabello, to testify.

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Media Execs Testify  
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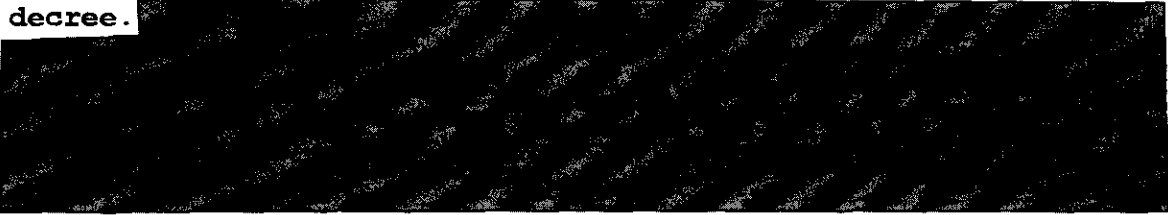
4. (U) Globovision Director General Alberto Ravell testified before prosecutor Danilo Anderson on October 4, about an alleged meeting on April 13, 2002, between interim president Pedro Carmona and media executives, allegedly to design the interim government's communication policy. Anderson told reporters that he had learned of the meeting from testimony by Rafael Arreaza, Carmona's Health Minister. Anderson also summoned Globovision President Guillermo Zuloaga on October 5, Venevision President Victor Ferrer on October 7, and Venevision owner Gustavo Cisneros on October 8. The media executives told reporters that the meeting with Carmona was public, that they had not met to design Carmona's communication policy, and that they had not signed the decree. Some noted that the allegation did not make sense because as independent media their role is not to advise a government on a communication strategy.

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6. (C) Most of those alleged to have signed apparently signed blank pieces of paper, which press reports have said were left out for people to sign their adherence to the decree.



7. (C) Several people signed the decree publicly in the name of various social and political groups, including: Cardinal Velasco in the name of the Catholic Church; Carlos Fernandez, in the name of FEDECAMARAS; Zulia Governor Manuel Rosales, in the name of the regional governments.



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Comment  
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McFarland

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